

Office of the Standing Chapter 13 Trustee
105 Decker Ct
Suite 1150 11th Floor
Irving, TX 75062
(214) 855-9200

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**IN RE:
ROBERT PARKS
DEBTOR**

CASE NO: 23-30234-SWE-13

TRUSTEE'S AMENDED OBJECTION TO CONFIRMATION

Now comes the Standing Chapter 13 Trustee herein and files this "Objection to Confirmation" of the Plan, filed herein by Debtor, and would respectfully show the Court as follows:

The Trustee asserts that the Plan does not meet the requirements of 11 U.S.C. §1325(a)(4), which is known as the "best interests of creditors test".

- Debtor has non-exempt property of of \$171,780.. Debtor is not paying that amount to unsecured creditors.

The Trustee asserts that the Plan may not meet the requirements of 11 USC §1325(a)(4), the "best interests of creditors test" and/or 11 U.S.C. §1325(a)(3) and (a)(7), the "good faith test." In this regard the Trustee would show:

- Debtor has failed to disclose the following assets Debtor testified a contractor owes him \$500,000.

The Trustee asserts that the Plan does not meet the requirements of 11 U.S.C. §1325(a)(6), which is known as the "feasibility test."

- It appears there is insufficient income to pay the secured and priority claims and pay normal living expenses.

The Plan does not provide treatment for the following Secured debt, Dallas County in the amount of \$53,250.64.

Note: Creditor Joe Homebuyer representatives indicated at the 341 meeting they filed a secured claim; however the claim is not yet uploaded into the Trustee file.

The Plan does not provide for the full payment in deferred cash payments, of all claims entitled to priority under 11 U.S.C. §507, per 11 U.S.C. §1322(a)(2).

- Debtor has not provided for the IRS claim in the amount of in the amount of \$27,470.50.

WHEREFORE, the Standing Chapter 13 Trustee prays that said Plan not be Confirmed unless and until it has been modified to cure all objections set forth herein above, and for general relief.

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Respectfully submitted,
THOMAS D. POWERS, CHAPTER 13 TRUSTEE

By: /s/ Tara Tankersley

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Trustee's Objection To Confirmation** was served on the following parties at the addresses listed below by United States First Class Mail and/or by electronic service .

Debtor: ROBERT PARKS, 2526 HULETTE AVE, LANCASTER, TX 75134

Attorney: LEINART LAW FIRM, 10670 N CENTRAL EXPRESSWAY, SUITE 320, DALLAS, TX 75231**

Creditor(s): COUNTY OF DALLAS, CO LINEBARGER GOGGAN BLAIR ET AL, 2777 N STEMMONS FWY STE 1000, DALLAS, TX 75207**

SPECTOR & COX PLLC, 12770 COIT RD, STE 850, DALLAS, TX 75251

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**Indicates party has elected to receive all notifications via electronic service and was not served a copy via United States First Class Mail.

Dated: August 10, 2023

By: /s/ Tara Tankersley